

**MEMORANDUM OF AGREEMENT BETWEEN
AMEM AND ORNL SITE MANAGER
REGARDING AMEM ACTIVITIES AT THE ORNL SITE**

**March 31, 1998
Department of Energy
Oak Ridge Operations Office**

I. INTRODUCTION

The purpose of this Memorandum of Agreement (MOA) is to implement two policies: (1) The Department of Energy (DOE) policy that line management is responsible and accountable for environment, safety, and health (ES&H), and (2) The Oak Ridge Operations (ORO) Office Manager's policy that each Site Manager is knowledgeable and aware of all activities at their site which have significant ES&H implications including facility safety. Additionally, it is imperative that the ORNL Site Office Manager be aware of and have input into projects that could impact ES&H or mission related activities at ORNL. This MOA will also help to ensure that lines of authority and responsibility are documented and understood by all.

It is understood that, considering the new Management and Integrating (M&I) contract to be managed by ORO Environmental Management (EM) and the potential for responsibility of mission generated waste ultimately becoming the financial and management responsibility of ORNL, this document is subject to change. Amendments or modifications may be made at any time by written concurrence of the individuals or their delegates who concurred on the initial issue of this document. Such changes shall be distributed to the same offices that received the initial document.

The Management and Operating (M&O) and M&I contractors for ORO receive formal direction on an individual plant-by-plant or program basis through their respective Contracting Officer's Representative (COR). The COR for the M&O Contractor at Oak Ridge National Laboratory (ORNL) is the ORNL Site Manager. The COR of the M&I contractor is in the office of the Assistant Manager for Environmental Management (AMEM).

Communications are paramount for success of this structure and will be carried out at all organizational levels. This communication consists of:

1. AMEM making its requirements known to the ORNL Site Manager who has oversight responsibility for research programs and landlord activities.
2. The ORNL Site Manager making the ORNL projections of waste generation available to AMEM, so AMEM can plan and budget for waste management facilities.
3. The ORNL Site Manager making site resources available to AMEM programs on a mutually beneficial basis.
4. AMEM providing information to the ORNL Site Manager on AMEM annual expenditures at the site, the facilities to be affected by AMEM activities, the nature of the effect caused by AMEM activities, the schedule of these activities, and significant changes to any of these. In many cases, this information transfer may be accomplished by organizations serving the AMEM.

5. The ORNL Site Manager will evaluate AMEM activities and their schedule on ongoing ORNL activities and will coordinate with AMEM managers to mutually resolve any issues identified.

II. DEFINITION OF RESPONSIBILITIES

In general, AMEM is responsible for all environmental restoration and waste management activities including the Remedial Investigation/Feasibility Study process and decontamination and decommissioning activities, while the ORNL Site Manager is responsible for all other Laboratory functions and the general site infrastructure. An explanation of the roles and responsibilities is provided below.

The ORNL Site Manager's responsibilities include:

1. Being responsible and accountable for ES&H requirements for all non-AMEM activities at the ORNL Site.
2. Ensuring adequate implementation of site-wide management, coordination, and operational aspects related to general administrative and overhead activities.
3. Participating in reviews and providing input on AMEM waste management tasks, which may have an impact on Research and Development (R&D) or production activities.
4. Ensuring that there is appropriate oversight of site management and operating activities including compliance with applicable site-wide and regulatory requirements.
5. Coordinating responses to requests for ORNL site-wide information involving ORNL Site Manager and AMEM facilities, unless otherwise agreed upon on specific case-by-case basis.
6. Maintaining the National Pollutant Discharge Elimination Systems (NPDES) permit for the entire site and acting as the lead organization for resolving NPDES related issues.
7. Maintaining the Title V air permits for the entire site and acting as the lead organization for resolving Title V air permit related issues.
8. Ensuring submittal of site-wide regulatory compliance reports such as the Resource Conservation and Recovery Act (RCRA) Annual Report and the Emergency Planning and Community Right-to-Know Act Tier II reports.

9. Assuming the lead for all issues raised by the Environmental Protection Agency (EPA) or Tennessee Department of Environment and Conservation (TDEC) involving permits held by the ORNL Site Office and for facilities/activities administered by the Site Office.
10. Resolving occurrence reports and Price Anderson Amendments Act (PAAA) violations for facilities/programs administered by the ORNL Site Office.
11. Signing and submitting the monthly Discharge Monitoring Report (DMR) package and related documents.
12. Maintaining awareness of the type and extent of all ongoing and planned work at ORNL.
13. Striving to resolve site-wide ES&H, infrastructure, and other issues among program offices.
14. Ensuring all investments needed to maintain DOE facilities operational and in adequate condition for safe operations are identified and prioritized by ORNL. ORNL Site Office will ensure quality of the Facility Information Management System information.

The AMEM's responsibilities include:

1. Being responsible and accountable for ES&H requirements for all AMEM activities at the ORNL Site.
2. Keeping ORNL Site Manager aware of long-range EM objectives.
3. Planning, scheduling, budgeting, operation, and maintenance of AMEM facilities and operations.
4. Identifying potential funding level shortfalls in waste operations activities and determining with ORNL Site Manager the R&D or production impacts.
5. Within budgets provided, setting priorities for EM funded facilities/activities at ORNL to accomplish goals.
6. Managing each environmental restoration, waste management, corrective activity or technology area project, or programmatic activity.
7. Managing and resolving environmental compliance issues in coordination with ORNL Site Manager for EM funded tasks that are identified as environmental restoration, or active, standby, and planned waste management systems and facilities at ORNL. Is the central point of contact for these active facility issues with the TDEC and the EPA.

The ORNL Site Manager's organization will be notified of meetings and the progress being made in the permitting process. ORNL Site Manager will also receive information copies of appropriate correspondence that is exchanged between the regulators and AMEM.

8. Keeping the ORNL Site Manager informed of stakeholder commitments on EM activities involving ORNL.
9. Managing and directing of activities funded by EM through ORO in the area of technology development. These activities are primarily to support Research Development, Demonstration, Testing and Evaluation, and education in the areas of environmental restoration and waste management.
10. Developing and maintaining of an overall planning, reporting, tracking, and program control system for activities included in the EM program.
11. Providing programmatic and policy guidance concerning EM waste minimization initiatives.
12. Coordinating waste minimization reports.
13. Developing guidelines and policy for the characterization, packaging, storage, and monitoring of newly generated waste prior to being accepted by AMEM.
14. Participating in the Environmental Program Council bi-weekly meetings.
15. Signing the RCRA permits for facilities within the EM program.
16. Signing DMRs for NPDES outfalls within the EM program.
17. Resolving permit violations/issues associated with EM facilities. The ORNL Site Office shall be involved in and concur with resolution of violations/issues involving permits that ORNL maintains.
18. Ensuring adequacy of Work Smart Standards (WSS) to be used for EM facilities or projects.
19. Issuing reports to TDEC and EPA required by the Federal Facility Agreement on active and inactive Low-Level Waste Systems.
20. Meeting facility specific requirements when performing activities or working in an ORNL facility.
21. In accordance with EM-HQ guidelines, reviewing and concurring or rejecting responsibility for management and funding of facilities proposed to be shut down and transferred to the EM program.

22. Resolving Occurrence Reports and PAAA violations for facilities/ programs administered by EM. (To ensure ORNL Site Manager awareness, EM shall notify ORNL Site Office immediately of any such violations occurring at ORNL, regardless of ultimate responsibility or jurisdiction.)

III. PRIMARY POINTS OF CONTACT/INTERFACES

The primary contacts for notification of occurrence, violations, or significant issues requiring immediate management attention are:

ORNL Site Office - Barry S. Willis
AMEM - Robert C. Sleeman or Suzanne P. Riddle

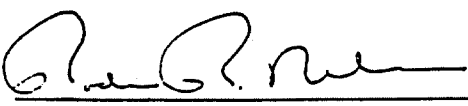
Ongoing formal interface will primarily occur through bi-weekly environmental program meetings, which involve both DOE and contractor personnel from organizations addressed by this MOA. This meeting is intended to serve as a forum for statusing ongoing activities and early identification/resolution of problems. This meeting is not intended to replace daily interaction between parties as necessary for successful programs.

IV. RESOLUTION OF ISSUES

All issues or concerns between ORNL Site Manager and AMEM should be resolved at the lowest possible level within the organizations. In some instances this will not be possible, and the issue will have to be raised to higher levels of management. The ORNL Site Manager and the AMEM or their appointed delegates will agree to any changes to this document. Changes will be incorporated into a revised agreement.



Edward G. Cumesty
ORNL Site Manager



Rodney R. Nelson, Assistant
Manager for Environmental
Management

Date

3/27/98

Date

3/31/98